

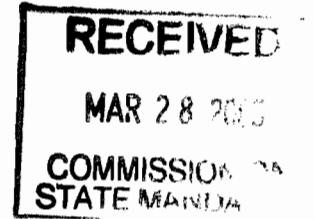


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## THE BOARD OF SUPERVISORS OF MARIN COUNTY

March 25, 2005

Ms. Paula Higashi,  
Executive Director  
Commission on State Mandates  
980 9th Street, Suite 300  
Sacramento, CA 95814



Re: Regional Housing Needs Determination: Councils of Government and State Mandate Reimbursements – Case No. 04-RL-3929-05

Dear Ms. Higashi:

The Commission on State Mandates (CSM) will reconsider decisions initially made in 1981 by CSM's predecessor agency (State Board of Control) that councils of government (COGs) are eligible for subventions for performing the state mandated regional housing needs allocation (RHNA). The CSM is scheduled to take action at its March 30, 2005 meeting.

The Association of Bay Area Governments (ABAG) is a Council of Governments charged with the responsibility for conducting the regional housing needs determination for the San Francisco Bay Area and will be directly affected by the Commission's decision on the rehearing. On March 17, the ABAG Executive Board voted unanimously to urge the members of the Commission to:

- Maintain the right of COGs to reimbursement for performing RHNA by voting against the CSM staff recommendation and upholding prior State Board of Control decisions 3916, 3759, 3760 and 3929.
- Follow the legally required procedures for reconsideration in Title 2 CCR Section 1188.4.

As President of the Marin County Board of Supervisors, I strongly urge the CSM to consider ABAG's testimony – and to maintain the right of COGs to reimbursement for performing state mandated RHNA. The State has been reimbursing COGs for RHNA since 1981. In 2004, the State enacted changes to the Housing Element law that ostensibly improves RHNA as a planning tool and as a tool for increased housing production. These changes make the RHNA process more costly for COGs and more complicated for cities and counties.

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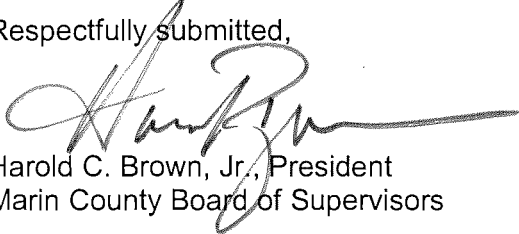
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A local government's fair share of regional housing needs is the foundation of the housing element. Preparation of the housing element is a mandate imposed by the statute. Review of regional fair share numbers is an essential step in the preparation of the housing element and, therefore, a reimbursable activity.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Harold C. Brown, Jr.", with a long horizontal flourish extending to the right.

Harold C. Brown, Jr., President  
Marin County Board of Supervisors

CC: Philip Angelides, State Treasurer  
Tom Campbell, Director, Department of Finance  
John Lazar, Councilmember, City of Turlock  
Steve Westly, State Controller  
Sean Walsh, Director, Office of Planning & Research  
Steven Keil, California State Association of Counties  
Kenneth Moy, Association of Bay Area Governments